

STATE OF NORTH CAROLINA

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA

3:04 CV 625H

WELLMAN INC.

Plaintiff

vs.

SUBSTITUTION OF MEDIATOR  
(BY AGREEMENT -GS 7A-38.1)

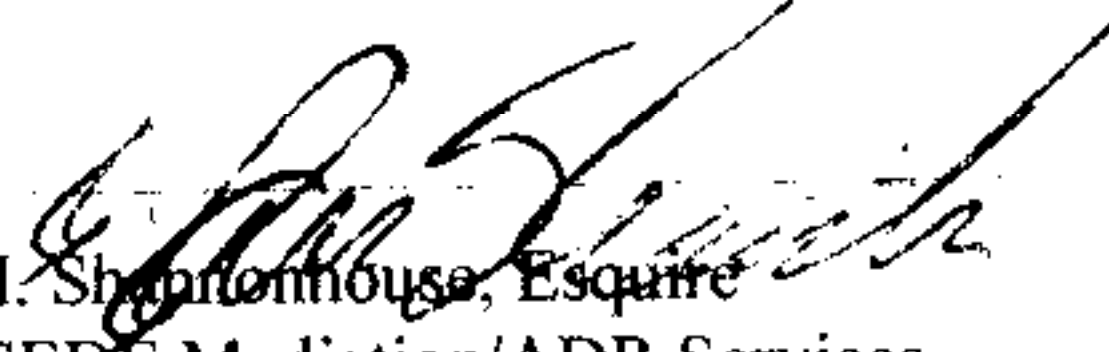
NORFOLK SOUTHERN RAILWAY CO.

Defendants

THE UNDERSIGNED, James M. Shannonhouse, Attorney, INTERCEDE Midation/ADR Services, respectfully shows unto the Court that counsel for the parties herein have Jackson N. Steele Esq. to be SUBSTITUTED as Mediator herein pursuant to the Rules Governing Mediated Settlement Conferences in lieu of the initially appointed mediator, David B. Hamilton, Esq.. The Mediator's compensation is agreed to be at the rate of \$275 per hour for time expended in furtherance of mediation and an administrative fee of \$82.00 per party.

The initially appointed mediator has graciously waived his fee.

Respectfully submitted: Thursday, July 28, 2005

  
James M. Shannonhouse, Esquire  
INTERCEDE Mediation/ADR Services  
212 S. Tryon St., Ste. 1560  
Charlotte, NC 28281

ORDER DESIGNATING MEDIATOR

FOR GOOD CAUSE SHOWN, Jackson N. Steele Esq. is hereby appointed as Substituted Mediator herein and is authorized to conduct the Mediated Settlement Conference according to the Rules Governing Mediated Settlement Conferences in District Court Actions, the mediator's fee to be \$275 per hour for time expended in furtherance of the mediation and \$82.00 per party administrative fee. Said Mediator shall be responsible for reserving a place and making arrangements for the conference, scheduling the conference, and giving timely notice to all attorneys and unrepresented parties thereof. The Mediated Settlement Conference shall be completed by Friday, September 30, 2005, and the Mediator shall report the results of the conference to the Court on Form AOC-CV-813, Report of Mediator, within 10 days after the conference is completed.

This the 1<sup>st</sup> day of

August, 2004 <sup>5</sup>  
R2V

  
District Court Judge